

RESOLUTION NO. 3747
AUTHORIZING AND DIRECTING CONDEMNATION
OF REAL PROPERTY FOR STREET AND UTILITY
PURPOSES AND ELECTRIC POWER FACILITIES

BE IT RESOLVED by the Council of the City of Lodi as follows:

The Council of the City of Lodi finds, determines, and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition, construction, and completion in the City of Lodi of a public improvement, to-wit: street widening and the installation of electric power facilities and other utility services on and across certain real property located on Lower Sacramento Road, North of Yosemite Drive, in the City of Lodi, San Joaquin County, California.

(2) That the real property hereinafter described is suitable, adaptable, necessary and required for the public use of said City of Lodi, as hereinabove set forth.

(3) That the City of Lodi acquire the hereinafter described real property for street widening, utility and electrical power distribution purposes, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the public use of said City as hereinabove set forth.

(4) To acquire in the name of the City of Lodi, a fee simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) To make application to a Court of competent

jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

(6) The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements are situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

A portion of the Northeast Quarter of Section 3, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, San Joaquin County.

The East 55.00 feet of the West 95.00 feet of the following described property:

Beginning at a point on the West line of said Quarter, said point being 1593.00 feet South of the Northeast corner of said Quarter and also 1412.00 feet North of the Southwest corner of said Quarter; thence South along said West line, 170.00 feet; thence Easterly and parallel to the South line of said Quarter, 230.00 feet; thence North and parallel to said West line 170.00 feet; thence Westerly and parallel to said South line, 230.00 feet to the point of beginning, containing 0.90 acres, more or less.

Dated: March 21, 1973.

I hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Lodi in regular meeting held March 21, 1973, by the following vote:

AYES:	Councilmen - EHRHARDT, HUGHES, KATNICH, PINKERTON, and SCHAFER
NOES:	Councilmen - None
ABSENT:	Councilmen - None


BESSIE L. BENNETT, City Clerk

The foregoing document is certified to be a correct copy of the original on file in this office.


BESSIE L. BENNETT, City Clerk
City of Lodi

Dated: April 6, 1973